Commissioners met on this day with the following members present: John Richwine, Patricia Dillon and Paul Wilson. Also present were County Attorney Jim Wilson, County Auditor Kathy Stoops-Wright, Deputy Auditor Jane Lyons and Commissioners Office Manager Linda Smith.

IN THE MATTER OF APPROVAL OF MINUTES

Commissioners approved the minutes for January 8, 2008 and January 15, 2008 upon motions made by Patricia Dillon and seconded by Paul Wilson. Motion carried unanimously.

IN THE MATTER OF REQUEST FOR E911 FUNDS FROM FRANKTON POLICE DEPARTMENT

Frankton Town Marshall, Calvin Pulley, Jr., requested E911 funds to replace radio equipment for the Frankton Police Department. The current radio equipment they have is 12 yrs old. They need 6 portable radio's at a cost of \$3,966.00 and 2 mobile radio's at a cost of \$1,110.00. Motion to approve request made by Paul Wilson and seconded by John Richwine. Motion carried unanimously.

IN THE MATTER OF WILBURN YARLING PAY ESTIMATE

Commissioners approved a pay estimate for the Wilburn Yarling Project in the amount of \$87,100.37 payable to Atlas Excavating. This project can be closed after this last payment is made. Motion to approve made by John Richwine and seconded by Patricia Dillon. Motion carried unanimously.

IN THE MATTER OF APPROVAL OF ORDINANCE NO. 2008-BC-O-01, ORDINANCE PERTAINING TO EROSION AND SEDIMENT CONTROL AND STORM WATER QUALITY

Madison County Surveyor, Brad Newman and Angela Martin from Blue Sky Engineering, came before the Board of Commissioners with Ordinance No. 2008-BC-O-01, An Ordinance Pertaining to Erosion and Sediment Control and Storm Water Quality for approval. Ms. Martin gave a short slide show presentation. Commissioner Richwine read Section I of the Ordinance which explains the purpose of the Ordinance. There were a few changes that needed made by the County Attorney. John made motion to approve Ordinance upon the changes being made. Motion was seconded by Paul Wilson. Motion carried unanimously.

ORDINANCE #2008- <u>66.00</u>0-0 \

ORDINANCE PERTAINING TO EROSION AND SEDIMENT CONTROL AND STORM WATER QUALITY

WHEREAS, the Board of Commissioners of Madison County, Indiana, wish to adopt an Erosion and Sediment Control Stormwater Quality Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Madison County, Indiana, as follows:

AN ORDINANCE PERTAINING TO EROSION AND SEDIMENT CONTROL AND STORM WATER QUALITY

TABLE OF CONTENTS

1.	Storm Water Quality General Provisions	3
	Storm Water Management Permit Application Process	
	General Storm Water Management Permit Requirements	
4.	Storm Water Run-off Control Requirements	18
	Soil Erosion and Sedimentation Control	
6.	Storm Water Quality Management for Post-Construction	22
	Watercourse and Drain Protection	
8.	Prohibited Discharges and Illicit Connection Elimination	25
9.	Enforcement	28
10	Implementation of Ordinance	29

1. Storm Water Quality General Provisions

1.1. Ordinance Title

This Ordinance shall be known and may be referred to as the "Storm Water Quality Ordinance, Madison County, Indiana" and shall hereafter be referred to as "this Ordinance."

1.2. Purpose

This ordinance is adopted in accordance with statutory authority granted under Indiana Code 36-9-28 and Indiana Code 36-9-28.5, and further is required by Phase II of the National Pollution Discharge Elimination System program (FR Doc. 99–29181) authorized by the 1972 amendments to the Clean Water Act, the Indiana Department of Environmental Management's Rule 13 (327 IAC 15-13), and the Indiana Department of Environmental Management's Rule 5 (327 IAC 15-5). Based on this authority and these requirements, this Code regulates:

1.3. Regulatory Authority This Ordinance regulates:

- 1.3.1. Erosion and sediment control systems installed during new construction and grading of lots and other parcels of land.
- 1.3.2. The design, construction, and maintenance of storm water quality facilities and systems.
- 1.3.3. Illicit connection discharge detection and elimination requirements and procedures.

1.4. Application and Exemptions

- 1.4.1. In order to obtain a Storm Water Management Permit, the applicant must be an individual, partnership, corporation, or other entity that will be responsible for accomplishing the land alteration for which the permit was issued. Application for Storm Water Management Permits shall be made to the Madison County Drainage Board. The application shall be in writing in a form prescribed by the County Surveyor.
- 1.4.2. No individual, partnership, or corporation shall undertake or accomplish any connection to the Municipal Storm Sewer System within the County's jurisdiction, without having in force a written Storm Water Management Permit obtained from and approved by the County Surveyor. A Storm

- 1.4.3. Water Management Permit shall not be issued until all applicable fees are paid in full. After the work has been done, the individual securing the permit shall file in the County Surveyors Office an accurate statement of the work completed under the permit.
- 1.4.4. The following activities are exempt from this Ordinance:
 - A. Excavation of cemetery graves;
 - B. Excavation for wells, excavation and backfill for poles, conduits, and wires of utility companies;
 - C. Exploratory excavation or soil testing under the direction and control of professional engineers, soil engineers, geologists, civil engineers, architects, or land surveyors, which are properly backfilled;
 - D. Ordinary cultivation of agricultural land, including tilling, terracing,
 - construction of minor open ditches, and crop irrigation;
 - E. The planting and tilling of gardens, flower beds, shrubs, trees, and other common uses and minor landscaping of land appurtenant to residences:
 - F. Fill and grading of a basement after demolition of a structure, to conform with adjacent terrain;
 - G. Fill of small holes caused by erosion, settling of earth, or the removal of such materials as dead trees, posts, or concrete;
 - H. Maintenance of drainage facilities;
 - I. Installation of septic systems, when a proper permit has been obtained:
 - J. Construction of a driveway, when a proper permit has been obtained:
 - K. Installation of building sewers and laterals, when a proper permit has been obtained; and
 - L. Construction of a deck or room addition, when a proper permit has been obtained.
- 1.5. Definitions for the purpose of this Ordinance, the following definitions shall apply:
 - 1.5.1. Agricultural land use: Use of land for the production of animal or plant life including forestry, pasturing or yarding livestock and planting, growing, cultivating, and harvesting crops for human or livestock consumption.
 - 1.5.2. Applicant: An individual, partnership, corporation or other entity that applies for a permit to accomplish land alteration within the corporate limits of Madison County.
 - 1.5.3. Best Management Practice (BMP): Design, construction, and maintenance practices and criteria for storm water control or drainage facilities that minimize the impact of storm water run-off rates and volumes, prevent erosion, and capture pollutants.
 - 1.5.4. County: Madison County.
 - 1.5.5. County Surveyor: The Madison County Surveyor or his/her authorized representative.
 - 1.5.6. Channel: A natural or artificial watercourse which periodically or continuously contains moving water, or which forms a connecting link between two bodies of water with a defined bed and banks.

- 1.5.7. Culvert: A circular, elliptical, arched or other enclosed geometric conduit used for the passage of surface drainage water under a roadway, railroad, walkway, driveway, etc.
- 1.5.8. Detention: The storage and controlled release of storm water following a precipitation event by means of an excavated pond, enclosed depression, tank or pipe.
- 1.5.9. Development: Means any of the following activities:
 - A. Structural development, including construction of a new building or other structure;
 - B. Expansion or alteration of an existing structure that results in an increase in the footprint of the building or structure;
 - C. Land alteration activities;
 - D. Creation or expansion of impervious surface;
 - E. Demolition activities;
- 1.5.10. Developer: An individual, partnership, corporation or entity that develops real estate, especially by preparing a site for residential or non-single family land use.
- 1.5.11. Drainage Board: Madison County Drainage Board
- 1.5.12. Drainage Board Attorney: Attorney for the Madison County Drainage Board and the legal advisor to the Drainage Board and County Surveyor for this ordinance.
- 1.5.13. Drainage facilities: All ditches, channels, conduits, retention-detention systems, tiles, swales, storm sewers, flood control structures and other natural or manmade means of draining or conveying storm water.
- 1.5.14. Easement: A grant by a property owner for the use of a strip of land by the public, a corporation, or other entity for a specific purpose or purposes.
- 1.5.15. Erosion: The detachment and movement of soil, silt, sediment or rock fragments by water, wind, ice or gravity.
- 1.5.16. Erosion and Sediment Control Plan: A written description and drawings of pertinent information concerning erosion and sediment control measure designed to meet the requirements of this Ordinance.
- 1.5.17. Farm or Field Tile: A subsurface pipe installed in an agricultural or previously agricultural area to allow drainage of farmland.
- 1.5.18. Flood: An overflow of water onto lands not normally covered by water.
- 1.5.19. Floodplain: A normally dry land adjoining the river or stream that has been or may be covered by floodwater (It consists of both the floodway and floodway fringe).
- 1.5.20. Floodway: That portion of the floodplain that acts as a flow channel conveying flood waters.
- 1.5.21. Floodway fringe: That portion of the floodplain lying outside the floodway that is inundated by the regulatory flood.
- 1.5.22. Footing drain: A drainpipe installed along and adjacent to basement walls, foundations or crawl spaces to prevent water from entering a basement or crawl space.

- 1.5.23. Gradient: The inclination grade or slope of a channel, conduit or natural ground surface expressed as a ratio of the vertical rise or fall to the corresponding horizontal distance.
- 1.5.24. Illicit connection: Any pipe, hose, drain or any other similar structure, whether surface or subsurface, that allows a prohibited discharge to enter the Municipal Storm Sewer System regardless of whether the connection had been previously allowed, permitted or otherwise approved by a government agency in the past or; Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by the County Surveyor.
- 1.5.25. Impervious area: Area within developed land that prevents or significantly impedes the infiltration of storm water into the soil. Included in this definition are areas that have been paved and/or covered with buildings and materials which include, but are not limited to, concrete, asphalt, rooftop and blacktop, such that the infiltration of water into the soil is prevented. Excluded from this definition are undisturbed land, lawns and fields.
- 1.5.26. Individual: An individual, as well as, a firm, association, organization, partnership, trust, company, corporation, or other legal entity.
- 1.5.27. Inlet or Storm sewer inlet: An opening into a storm sewer system or drainage facility for the entrance of surface storm water run-off.
- 1.5.28. Junction chamber: Structure used to combine the flow from one or more conduits into a main conduit.
- 1.5.29. Land alteration: Any man-made change of the land surface of more than 1 foot in grade including: removing vegetative cover; excavating, filling, transporting or grading of soil; paving; increasing the run-off rate; changing the elevation; decreasing, increasing or changing drainage pattern; involving construction, enlargement, or location of any building on permanent foundation; or creating impoundments. (It includes any activity requiring a Permit, but does not include agricultural land uses.)
- 1.5.30. Lot: A tract, plot or parcel.
- 1.5.31. Maintenance: Cleaning out of, spraying, removing obstructions from, and making minor repairs in a drainage facility so it will perform the function for which it was designed and constructed.
- 1.5.32. Manhole: Storm or sanitary sewer structure through which a person may enter to gain access to a sewer or enclosed structure. (A manhole may also be an inlet for the storm sewer system.)
- 1.5.33. May: A permissive requirement.
- 1.5.34. Municipal Storm Sewer System: A conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, storm drains, and regulated drains under the County's jurisdiction.
- 1.5.35. National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit: A permit issued by EPA (or by a State under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

- 1.5.36. Non-point source: Nonpoint source water pollution is water pollution originating from diffuse, nondiscrete sources that are not regulated as point sources by the Clean Water Act's National Pollutant discharge Elimination System (NPDES) program. Nonpoint source water pollution generally results from land run-off, percolation, atmospheric deposition, hydrologic modification, or precipitation.
- 1.5.37. Non-Single family residential land use: Use of land for commercial, manufacturing, industrial, wholesale, retail sale of goods or services, or any other non-single family residential land use.
- 1.5.38. Outfall: The point or location where storm water run-off discharges from a sewer, channel or detention facility into a body of water.
- 1.5.39. Owner or Property owner: The individual who is the legal record owner of the land, or where there is a recorded land sale contract, the purchaser thereof.
- 1.5.40. Perimeter drain: A tile drain around an absorption field or surrounding an area with the express purpose of lowering the water table to a specified/different elevation.
- 1.5.41. Point source: Any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include agricultural storm water discharges and return flows from irrigated agriculture.
- 1.5.42. Pollutant: Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.
- 1.5.43. Publicly Owned Treatment Works (POTW): Any devices or systems used in the collection, storage, treatment, recycling and reclamation of sewage or industrial wastes and any conveyances which convey wastewater to the wastewater treatment plant, which are owned by a unit of government. The term also means the government entity having jurisdiction over the industrial users and responsibility for the operation and maintenance of the treatment works.
- 1.5.44. Prohibited Discharge: Any direct or indirect non-storm water discharge to the Municipal Storm Sewer System, except as exempted in Section 9, Prohibited Discharges and Illicit Connection Elimination of this Ordinance.
- 1.5.45. Rainfall intensity: The rate of rainfall expressed as the amount of rain occurring within a given duration, normally expressed in inches per hour.
- 1.5.46. Reach: A specified length of river, channel or conduit.
- 1.5.47. Record Drawing: "As Built Plans", final revised drawings submitted to show the construction of the site or work as actually completed.

- 1.5.48. Redevelopment: Any construction, alteration or improvement that does not result in an increase in the existing footprint of the building, structure or impervious area located on the property.
- 1.5.49. Regulated area: All of the land under the jurisdiction of the County Surveyor.
- 1.5.50. Regulated Drain: A drain, either an open channel or closed tile/sewer, subject to the provisions of Indiana Drainage Code, I.C. 36-9-27.
- 1.5.51. Regulatory flood: A flood with a probability of occurrence of one percent in any given year, which is commonly referred to as a "one hundred year flood" as calculated by a method and procedure that is acceptable to the County Surveyor. (If a permit for construction in the floodway is required by the Indiana Department of Natural Resources, the regulatory peak discharge shall be calculated by the method and procedure acceptable to the County Surveyor and the Indiana Department of Natural Resources.)
- 1.5.52. Retention: A storm water storage facility without a defined/constructed discharge point.
- 1.5.53. Return period: The average interval of time within which a given rainfall event will be equaled or exceeded once. (A flood having a return period of one hundred years has a one percent probability of being equaled or exceeded in any one year.)
- 1.5.54. Right of Way: An area of land appropriated for public use as a street, highway, driveway, alley or walkway or for any drainage or public utility purpose or other similar use.
- 1.5.55. Run-off: The portion of precipitation such as rainfall, snow melts, or irrigation water that flows over or under the ground surface and arrives at the point of consideration as surface water.
- 1.5.56. Sediment: Material of soil or rock origin that is transported, carried, or deposited by water.
- 1.5.57. Sedimentation: The process that deposits soils, debris and other materials either on ground surfaces or in bodies of water or watercourses.
- 1.5.58. Shall: A mandatory requirement.
- 1.5.59. Should: A preferred requirement.
- 1.5.60. Single family area land use: A land use designation equal in size to or for developing a single family housing unit.
- 1.5.61. Site: The entire area included in the legal description of the land on which a land disturbing activity is proposed in the permit application.
- 1.5.62. Spillway: A waterway in or about a hydraulic structure for the escape of excess water.
- 1.5.63. Stilling basin: A structure used to dissipate the energy and/or velocity of flowing water, and to help enhance sedimentation.
- 1.5.64. Storm sewer: A conduit for conveying collected storm water.
- 1.5.65. Storm water: Any surface flow, run-off, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

- 1.5.66. Storm Water Connection Permit: Permit required to connect to any portion of the County's Municipal Separate Storm Sewer System.
- 1.5.67. Storm Water Management Permit: A permit required by the County to assure compliance with this and related ordinances, rules and regulations.
- 1.5.68. Storm water control facility: Any natural or man-made structure, system or area used for the purpose of storing, controlling the rate of flow or treating storm water.
- 1.5.69. Storm water drainage system: All means, natural or man-made, used for conveying storm water to, through or from a drainage area.
- 1.5.70. Subsurface drain: A tile drain installed for lowering the groundwater table. See also Perimeter Drain.
- 1.5.71. Sump pump: Any type of pump used to remove liquid from a basement, cellar, crawl space or any other below grade structure or area.
- 1.5.72. Undeveloped: Area in pre-developed and natural (wooded or grassed) condition
- 1.5.73. Urbanization: The development, change or improvement of any parcel of land consisting of one or more lots for residential, commercial, industrial, institutional, recreational or public utility purposes.
- 1.5.74. Valley storage: Temporary storage of flood/storm water within stream banks or side slopes of a channel.
- 1.5.75. Water of the State: Accumulations of water, surface and underground, natural and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon this state, but the term does not include any private pond, or any pond, reservoir, or facility built for reduction or control of pollution or cooling of water prior to discharge unless the discharge there from causes or threatens to cause water pollution.
- 1.5.76. Watercourse: Any natural or man-made drainageway having a defined channel and banks and into which storm water run-off or floodwaters flow either regularly or intermittently.
- 1.5.77. Watershed: Drainage Area.
- 1.5.78. Wet bottom detention basin/retention basin: A basin designed to retain a permanent pool of water with additional capacity to detain and release excess run-off.
- 1.5.79. Wetland: An area which has hydric soils, that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that, under normal circumstances, does support a prevalence of vegetation typically adapted for life in saturated soil conditions. (Wetlands generally include swamps, marshes, bogs, and similar areas.)
- 1.5.80. Work: Any development, land alteration, or site preparation activities. This includes activities associated with the installation of any erosion and sediment control or storm water control BMPs.

1.6. Conflicting Ordinances

The provisions of this Ordinance shall be deemed as additional requirements to standards required by Madison County, State of Indiana, Federal regulations and

other Madison County Ordinances. In the case of conflicting requirements, the most restrictive shall apply.

- 2. Storm Water Management Permit Application Process
- 2.1. Application for Storm Water Management Permit
 - 2.1.1. To obtain a Storm Water Management Permit; an application shall be made and submitted to the County Drainage Board. The application shall be in writing in a form prescribed by the County Surveyor. A Storm Water Management Permit will be issued if the following criteria are met:
 - A. The application and supporting information have been properly prepared and submitted in accordance with provisions of this Ordinance and all other applicable ordinances.
 - B. Covenants and declarations have been executed, if required by the County Surveyor.
 - C. Easements have been dedicated, if required by the County Surveyor.
 - D. All applicable Storm Water Management Permit and Storm Water Connection Permit fees have been paid in full.
 - E. All other applicable permits shall be obtained prior to issuance of a County Storm Water Management Permit (ex. INDOT, US Army Corp of Engineers, IDEM, IDNR, Madison County Drainage Board) and a certification statement attesting to this is included with the Storm Water Management Permit application.
 - F. A Storm Water Management Permit shall be valid for a period of two years from the issue date. If the work, described in the County Drainage Board's approval, has not commenced within one (1) year from the date of approval, the approval will expire. If the work described in a drainage approval has not been substantially completed (90 percent completed) within two (2) years of the date of issuance thereof, said approval will expire. A written extension of up to 180 days may be granted by the County Surveyor if the work in progress exceeds 50 percent completion. For all other instances, a new permit application shall be required and all Storm Water Management Permit review fees shall be paid.

2.2. Fees

2.2.1. The minimum Storm Water Management Permit review fee is Fifty Dollars (\$50) plus the fee from Sections 2.2.1.1. The fee for all developments greater than one (1) acre is \$50 per disturbed acre for each review by the County Surveyor plus the fee from Sections 2.2.1.1, 2.2.2.2 and 2.2.2.3.

2.2.1.1. Residential Development

residential Bevelopment		
Number of Lots	Fee	
1	\$100	
2-4	\$240	
5-10	\$400	
11-25	\$710	
26-40	\$940	
41-55	\$1180	
56-70	\$1410	
71 and above	\$1500 + \$16/lot over 70 lots	

2.2.1.2. Industrial/Commercial (including apartments and townhouses), based on disturbed acres.

Number of Acres	Fee
1-4.99	\$480
5-9.99	\$710
10-14.99	\$940
15-19.99	\$1180
20-25	\$1410
Over 25	\$1500 + \$16/acre or fraction thereof over 24.99 acres (all fractions to be rounded up to the next whole acre, i.e. 26.36 acres = 27 acres).

2.2.1.3. Private Residence, based on disturbed acres

Number of acres	Fee
1-24.99	\$100
25-49.99	\$200
50-249.99	\$300
250 and above	\$350 + \$5/acre over 250 acres

- 2.2.2. The minimum Storm Water Connection Permit fee is Fifty Dollars (\$50). Developments with greater than 1 disturbed acre and less than 5 disturbed acres will have a Storm Water Connection Permit fee of One Hundred Fifty Dollars (\$150). Developments with greater than 5 disturbed acres will have a Storm Water Connection Permit fee of Two Hundred and Fifty Dollars (\$250).
- 2.2.3. Storm Water Management Permit and Storm Water Connection Permit fee, shall be collected by the County Surveyor. All collected fees shall be deposited into an account designated by the Madison County Council.
- 2.2.4. No work shall commence on a site until a Storm Water Management Permit is obtained from the County Drainage Board.
- 2.3. Plan Submittal and Review Process review shall be typically accomplished as follows:
 - 2.3.1. Table 2-1 Standard Information Submission Process for Developers illustrates the standard information submission process for applicants including all required plan submittals.
 - 2.3.2. Plan review shall be completed within 14 days of submittal. A written response shall be forwarded to the developer/owner by mail.

Table 2-1 - Standard Information Submission Process for Developers

Storm Water Management Permit Submittal	
Title Sheet	
Existing Site Conditions	
Proposed Site Conditions	
Erosion and Sediment Control Plan	
Storm Sewer Plan and Profile	

Standard Detail Sheets
Calculation of square footage of pervious and impervious area
Easement Dedication documents
Post-Construction Submittal
Record Drawings

2.4. Detailed Design Stormwater Management Plan

- 2.4.1. Two hard copy sets and an electronic copy of the Storm Water Management Permit Submittal compatible with AutoCad or ESRI ArcView/ArcInfo software or other software application approved by the County Surveyor shall be submitted.
- 2.4.2. Plans submitted for review shall observe the following format:
 - A. Title Sheet The following information shall be submitted as part of the Title Sheet:
 - 1. Name of the Project.
 - 2. Name and address of the owner, developer, and individual who prepared the plans.
 - 3. Boundary lines of adjacent tracts of land.
 - 4. A key or vicinity map at a scale of one-inch equals four hundred feet or less, showing the boundaries of the proposed project and covering the general area within which it is to be located.
 - 5. A statement of the proposed land uses, including a brief description of all residential and non-residential buildings, the types of proposed business(es) (residential, commercial or industrial) in order to reveal the effects of the project on traffic patterns, fire hazards, and congestion of population.
 - B. Existing Site Conditions The following information shall be submitted as part of Existing Site Conditions:
 - 1. Location, widths, and type of construction of all existing streets, street names, alleys, or other public ways and easements, railroad and utility rights-of-way or easements, parks, wooded areas, cemeteries, watercourses, drainage ditches, designated wetlands, low areas subject to flooding, permanent buildings, bridges, and the locations of all existing storm water facilities. Storm sewers, manholes and other structures shall be located by dimensions on the plans, in relation to surrounding physical features. The plans shall include direction of flow, elevation of inverts, gradient, materials and size of existing storm drains.
 - 2. Existing water mains, fire hydrants, storm sewers, sanitary sewers, culverts, bridges, and all other utility structures or facilities within, adjacent to, serving the subject land; including pipe sizes, grades, and locations as can best be obtained from public or private records.
 - 3. Existing contours based on U.S.G.S. datum shall not exceed one
 - (1) foot. At least two benchmarks, which are easily accessible and re-locatable, shall be shown. A statement of datum used shall also be included.
 - 4. The water elevation shall be delineated and indicated on the plans from the date of the survey of lakes, streams, or designated wetlands within the project or affecting it. The plan shall also show the boundary of the regulatory flood (100-year flood) and the floodway fringe boundary.
 - C. Proposed Site Conditions The following information shall be submitted as part of Proposed Site Conditions:
 - 1. Location, widths, grades and type of construction of all existing and proposed streets, street names, alleys, or other

- 2. public ways and easements, railroad and utility rights-ofway or easements, parks, wooded areas, cemeteries, watercourses, drainage ditches, designated wetlands, low areas subject to flooding, permanent buildings, bridges, and other data considered pertinent by the County for the subject land.
- 3. Existing and proposed water mains, fire hydrants, storm sewers, sanitary sewers, culverts, bridges, and all other utility structures or facilities within, adjacent to, or serving the subject land, including pipe sizes, grades, and locations as can best be obtained from public or private records.
- 4. Building setback lines, showing dimensions.
- 5. Interior and perimeter sidewalk system/pedestrian circulation plan.
- 6. Contours for proposed storm water storage facilities shall not exceed one (1) foot. The plan shall also show the boundary for the floodway fringe boundary. Spot elevations will be satisfactory for other proposed improvements, unless otherwise directed by the County Surveyor.
- D. Erosion and Sediment Control Plan
 - 1. Erosion and sediment control plans shall be approved by the County Surveyor. The County Surveyor, with the Madison County Commissioners' approval, may employ the Madison County Soil and Water Conservation District (MCSWCD) for plan review, site inspection or other related activities. Madison County Commissioners may pay the MCSWCD fees for the aforementioned services in an amount and frequency mutually agreed upon by both parties.
 - 2. The Erosion and Sediment Control Plan shall include the following statement: "All erosion control practices shall be in accordance with the latest edition of the Indiana Storm Water Quality Manual and the NRCS Field Office Technical Guide.
 - 3. The following information shall be submitted as part of the Erosion and Sediment Control Plan. The Erosion and Sediment Control Plan must comply with all current provisions of 327 IAC 15-5, Storm Water Run-Off Associated with Construction Activity:
 - a. Location widths, grades and type of construction of all existing and proposed streets, street names, alleys, or other public ways and easements, railroad and utility rights-of-way or easements, parks, wooded areas, cemeteries, watercourses, drainage ditches, designated wetlands, low areas subject to flooding, permanent buildings, bridges, and other data considered pertinent by the County for the subject land.
 - b. Proposed contours shall not exceed one (1) foot.
 - c. Details of terrain and area drainage, including the identity and location of watercourses, intermittent and perennial streams, receiving waters, and springs, and the total acreage of land that will be disturbed.
 - d. A designated area for trash containment and/or receptacles with proper erosion and drainage control design.

- e. The direction of drainage flow and the approximate grade of all existing or proposed streets.
- f. Detailed plans and locations of all surface and subsurface drainage devices, walls, dams, sediment basins, storage reservoirs, and other protective devices to be constructed with, or as part of, the proposed project, together with a map showing drainage area, the complete drainage network, including outfall lines and natural drainageway which may be affected by the proposed development, and the estimated run-off of the area served by the drainage facilities.
- g. A description of the methods to be employed in disposing of soil and other material removed from the site, including the location of the disposal site.
- h. Measures for soil erosion and sediment control which meet or exceed the methods and standards adopted by the Indiana Department of Natural Resources and/or set forth in the Indiana Storm Water Quality Manual and which comply with the design principles, performance standards, and requirements set forth in this Ordinance.
- i. A schedule of the sequence of installation of planned erosion and sediment control measures as related to the progress of the project, including the total area of soil surface that is to be disturbed during each stage, the anticipated starting and completion dates, and a schedule for the maintenance of such measures.
- j. Additional erosion control measures in the field as conditions warrant per discretion of the County Surveyor and the MCSWCD.
- E. Plat-Like Dedication Sheet The following information shall be submitted as part of the Plat, if a plat-like dedication document for easements and rights-of-way is deemed necessary by the County Surveyor:
 - 1. Parcels of land proposed to be dedicated or reserved for public use, or
 - 2. Reserved for common use of all property owners within the project, with the proposed conditions and maintenance requirements, if any, designated as such and clearly labeled on the plans;
 - 3. Radii, internal angles, points of curvature; tangent bearings and lengths of all arcs, chord bearings; and
 - 4. Accurate location of all survey monuments erected, corners and other points established in the field in their proper places.
- F. Storm Sewer Plan and Profile
 - 1. For all pipe intended to be dedicated to Madison County, a storm sewer plan and profile shall be submitted. For sections of pipe that will not be dedicated to the public, pipe and invert size, material and slope must be shown. The plan shall be shown on the upper portion of the drawing. The plan shall be drawn on a scale that is clear and legible and not greater than 1"=50". The plan shall show appropriate right-of-way and easement limits. The profile shall be shown under the plan and shall extend a sufficient distance downstream of the outlet to show pertinent information. For each pipe, the length, size, material and class shall be shown on the profile sheet near the dimension line.

- 2. The storm sewer and inlet profile shall generally be drawn on a scale of 1"=50' horizontal and 1"=5' vertical. Where a storm sewer is located inside the limits of an existing or proposed pavement or shoulder, the centerline grade of the road shall be shown. Where a storm sewer is located outside pavement or shoulder, the existing ground over the storm sewer with proposed grading shall be shown. If the storm sewer is to be constructed on fill, the profile of the undisturbed earth, at the storm sewer location shall be shown. All utility locations at intersections with the storm sewer location shall be shown.
- 3. An annual maintenance report shall be submitted with estimated cost and annual maintenance for storm sewer dedicated to Madison County.
- G. Standard Detail Sheets Standard detail sheets as approved by the County Surveyor shall be included as part of the submittal.
- H. Technical Information Report
- I. Required Information
 - The County Surveyor may require additional information to evaluate and determine the adequacy of the proposed storm water facility. The additional information may include, but is not limited to, written documentation of the following:
 - a. Utility encroachment approvals.
 - b. Madison County Drainage Board approval.
 - c. Other local, state and federal approvals, including other departments within the County.
 - d. Inspection and testing agreements with the County Surveyor;
 - e. Reviews by other Consultants as required by the County Surveyor.
 - f. Easements and rights-of-ways not on a plat-like document shall be submitted in the form prescribed by the County Surveyor and include both a full legal description and a drawing exhibit.
 - 2. The County Surveyor may waive information requirements when he/she determines that it is not necessary for evaluating or determining the adequacy of the proposed storm water facility.

2.5. Deviations from Approved Plans

Deviations from approved plans and specifications shall not be made after the County Surveyor grants formal plan approval. Written application for deviation(s) from approved plans shall be filed with and approved by the County Surveyor prior to implementation of the revision or change(s). Copies of the revisions or changes, if approved, shall be attached to the original plans and specifications.

2.6. Final Plan Submittals

Final plan submittals shall be in both forms of hard copy and electronic copy compatible with the County's AutoCad/GIS system.

2.7. Record Drawings

- 2.7.1. As part of the final acceptance process, record drawings of the storm water quality facilities must be submitted to the County Surveyor, as set forth herein, for all platted subdivisions. A Licensed Professional Engineer, Licensed Architect or Licensed Surveyor shall certify record drawings. Record drawings shall provide the following information:
 - A. Flow line elevations of the highpoint along yard swales.
 - B. Pipe size and pipe material.
 - C. Lengths of all pipe structures.
 - D. Data regarding the storm water storage basin, including top of bank elevation, invert elevations of primary and emergency

- spillways, size and pipe material of primary spillway, emergency spillway shape and dimensions, and width of top of embankment.
- E. Structure invert, pipe invert, and top-of-casting elevations.
- F. Horizontal alignment of storm sewer pipes, culverts, streets and storm sewer structures.
- G. The horizontal location and/or bank cross-sections for all wetbottom or dry-bottom storage facilities or other information sufficient to verify that the constructed storm water storage facility provides the required minimum run-off storage volume.
- H. Certified statement on plans stating the completed storm drainage system substantially complies with construction plans as approved by the County Surveyor.
- I. Legal description or clear depiction of all storm sewer system dedicated to the County.
- J. Other information that may be requested by the County Surveyor.
- 2.7.2. Record drawings shall be submitted as paper copies and electronic copies compatible with the County's AutoCad/GIS software format as approved by the County Surveyor.
- 2.7.3. Video recorded on CDs or DVDs of all clean storm sewer pipes shall also be submitted.

2.8. Investigations and Inspections

- 2.8.1. The power to make investigations and inspections of land alterations, private storm sewer systems, private storm water storage facilities, or any area associated with a land alteration project shall be vested in the County Surveyor, the County Building Commissioner, and their authorized representatives.
- 2.8.2. Investigation and inspection of any land alteration, private storm sewer system or private storm water storage facility may be made at any time by going upon, around or about the premises on which the land alterations have occurred. Such investigation and inspection may be made either before, during, or after the land alteration is completed; and it may be made for the purposes, among others, of determining whether the land alteration meets drainage requirements, and ascertaining whether the land alteration has been accomplished in a manner consistent with plans and specifications.
- 2.8.3. Efforts to afford an opportunity for investigation and inspection of the land alteration shall be made by individuals working on or having control of the land alteration, including making available a copy of plans and specifications submitted to obtain a Storm Water Management Permit.

2.9. Stop-Work Order

- 2.9.1. Whenever the County Surveyor or his/her authorized representatives discover the existence of any of the circumstances listed below, a stopwork order may be issued:
 - A. The County has previously notified the owner of a problem at the site and the situation remains uncorrected.
 - B. Land alteration is proceeding in an unsafe or unauthorized manner;
 - C. Land alteration is occurring in violation of a drainage requirement.
 - D. Land alteration for which a Storm Water Management Permit is required is proceeding without a Storm Water Management Permit being in force.
- 2.9.2. This sanction shall in no way limit the County from proceeding with other means of Enforcement or collection of penalties as provided in this Ordinance.

- 3. General Storm Water Management Permit Requirements
- 3.1. Construction Site Requirements
 - 3.1.1. Madison County may require developers and individuals to furnish copies of all necessary State Certifications and Construction plans for any land alteration activity within the County's jurisdiction.
 - 3.1.2. All excavations for construction or installation of private drainage facilities shall be adequately guarded with barricades and lights to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in accordance with the specifications and standards for storm drainage works of the County.
 - 3.1.3. For construction activities that are that are one acre or larger, the County shall require a Sedimentation and Erosion and Sediment Control Plan in strict compliance with the provisions of this Ordinance and all current provisions of 327 IAC 15-5, Storm Water Run-Off Associated with Construction Activity. The plan shall clearly indicate the construction sequence for establishment of all erosion and sedimentation control work, both temporary and permanent.
 - 3.1.4. Protection of adjacent properties: Adjacent properties, public rights-of-way or easements shall be protected from damage during grading operations and/or sediment deposition by appropriate use of vegetative buffer strips, sediment barriers or filters, dikes or mulching, or by a combination of these measures and other appropriate BMPs. The applicant shall restore public improvements damaged by his/ her operations to the satisfaction of the County Surveyor.
 - 3.1.5. Underground utility construction: The construction of underground utility lines shall be limited, where feasible, to no more than 500 feet of open trench at any one time. When consistent with the safety and space considerations, excavated material shall be placed on the uphill side of the trench. Dewatering devices shall discharge to an appropriate sediment trap or pond, preceded by adequate energy dissipation, prior to run-off leaving the site.
 - 3.1.6. All pollutants other than sediment that occur on-site during construction shall be handled and legally disposed of in a manner that does not cause contamination of surface waters. Pollutants of concern include, but are not limited to fuels, lubricants, solvents, concrete by-products and construction materials.
 - 3.1.7. Filling or disturbing of wetland areas: The applicant shall be responsible for obtaining and coordinating all required State or Federal permits associated with the filling or disturbing of wetlands prior to conducting any construction activity that may result in any change in the physical or hydrological condition of wetland areas.
 - 3.1.8. All debris and trash must be contained on-site during construction. All garbage receptacles must have high sides or covers to prevent airborne transport of debris such as plastic and paper. In addition, hazardous materials used during the construction process must be stored and disposed of properly to ensure that they do not enter any drainage structure or Water of the State.
 - 3.1.9. The individual or firm responsible for the site development is responsible for removing or the cost of removing debris, trash and other hazardous material from drainage structures and Waters of the State.

- 3.1.10. If deposition of any material from a construction site results in damage to the habitat or aquatic biota of a Water of the State the individual or firm responsible shall be responsible for all associated restoration cost.
- 3.2. Connection of Private Drainage Systems to the Municipal Separate Storm Sewer System
 - 3.2.1. A Storm Water Connection Permit is required prior to connection of private drainage systems to the Municipal Separate Storm Sewer System
 - 3.2.2. The County shall have no responsibility for the maintenance and repair of privately owned storm sewer systems or storm water storage facilities. The County may require the owner of a privately owned storm water system or storm water storage facility to perform maintenance if the current condition of the system is; causing or contributing to a public health hazard, decreasing the storage capacity of a storm water storage facility, or causing or contributing degradation of an aquatic habitat or aquatic biota.
 - 3.2.3. No newly constructed drain shall cross the property of another private owner unless such private owner has granted an easement for the private drain and the easement has been duly recorded in the office of the Madison County Recorder.
 - 3.2.4. All costs and expenses incident to the installation and connection of the private drain or storm sewer system shall be paid by the property owner. The owner shall indemnify the County for any loss or damage directly or indirectly occasioned by the construction or installation of the private drain or storm sewer system, including damages from back flow from the Municipal Storm Sewer System.
 - 3.2.5. The connection or outlet of a private drain or storm sewer system into the public drainage system shall conform to County specifications and standards for storm sewer drainage works and must be approved by the County Surveyor prior to construction of the connection.
 - 3.2.6. No unauthorized individual shall uncover, make any connection with or opening into, use, alter or disturb any portion of the County's municipal separate storm system or appurtenance thereof without first obtaining a written permit from the office of the County Surveyor.
 - 3.2.7. No individual shall backfill or otherwise conceal a storm sewer connection to the Municipal Storm Sewer System until the connection has been inspected and approved by the County Surveyor. In cases where a connection is made and concealed the County may cause the said connection to be excavated and exposed or the County may terminate the connection and require the responsible party to reimburse the department for its costs and expenses for excavation, exposure, termination, reconnection and restoration activities. This sanction shall in no way limit the County from proceeding with other means of Enforcement or collection of penalties as provided in this Ordinance.
- 3.3. Individuals who fail to comply with these requirements may be subject to fines for each violation and other remedial actions authorized by the County.
- 4. Storm Water Run-off Control Requirements
- 4.1. Design of Storm Water Management Systems

 The following storm water management practices should be reviewed in developing site storm water management plans in the following order:

- 4.1.1. Protect and preserve as much natural or vegetated area on the site as possible, minimizing impervious surfaces, and directing run-off to vegetated areas rather than to adjoining streets, storm sewers and ditches;
- 4.1.2. Flow attenuation of storm water by use of open vegetated swales and natural depressions;
- 4.1.3. Storm Water wet detention facilities (including percolation facilities); and
- 4.1.4. Other storm water management practices including but not limited to underground storage facilities.
- 4.1.5. A combination of successive practices may be used to achieve applicable minimum control requirements per the County Surveyor's approval.
- 4.2. Maintenance of Private Storm Water Management Systems
 - 4.2.1. All storm water management facilities shall be designed to:
 - A. Minimize the need of maintenance; and
 - B. Provide access for maintenance purposes.
 - 4.2.2. The owner of any private drainage system shall maintain the site to prevent discharge of pollutants to the Municipal Storm Sewer System or a Water of the State. This maintenance shall include, but is not limited to, sediment removal, bank erosion repairs, maintenance of vegetative covers, and removal and proper disposal of debris from pipes and other storm sewer structures.
 - 4.2.3. Maintenance of storm sewer facilities during construction and thereafter, shall be the responsibility of the land developer/owner. Assignment of responsibility for maintaining facilities serving one or more lot(s) or holding(s) shall be documented on the recorded plat as well as in appropriate covenants to property deeds. Maintenance of subsurface drain tiles that are less than 12 inches in diameter shall be the responsibility of the homeowners and/or the homeowners association. The latter statement shall be shown on the recorded plat and plot plans.
 - 4.2.4. Maintenance of channels during construction and thereafter, shall be the responsibility of the land developer/owner. Assignment of responsibility for maintaining facilities serving one or more lot(s) or holding(s) shall be documented on the recorded plat as well as in appropriate covenants to property deeds. Maintenance of swales shall be the responsibility of the homeowners and/or the homeowners association. The latter statement shall be shown on the recorded plat and plot plans.
 - 4.2.5. Maintenance of detention/retention facilities shall be the responsibility of the land developer/owner or the homeowners association.
 - 4.2.6. Assignment of responsibility for maintaining facilities serving one or more lot(s) or holding(s) shall be documented on the recorded plat as well as in appropriate covenants to property deeds, unless responsibility is formally accepted by a public body, and determined before the final Storm Water Management Permit is approved.
 - 4.2.7. All storm water quality management systems, including detention or retention basins, filter strips, pocket wetlands, in-line filters, infiltration systems, conveyance systems, structures and appurtenances located outside of the right-of-way shall be incorporated into permanent easements.
 - A. Easements in a non-subdivision: Where the Madison County Drainage Board is responsible for maintenance of the drainage system, regulated drain easements of 75 feet from the top of bank on each side of the channel or each

- side of the tile centerline must be dedicated to the Madison County Drainage Board.
- B. Easements in a subdivision: Refer to Madison County's Subdivision Control Ordinance Article Six, Major Subdivision Principles and Standards of Design.
- C. When the Madison County Surveyor determines it is necessary to establish a new regulated drain, each developer shall provide the necessary information and meet the requirements of the 1965 Indiana Drainage Code, as amended, for the establishment of a new Regulated Drain. Necessary easements for adequate maintenance of any new Regulated Drain shall be determined by the Madison County Surveyor if not already established in this Ordinance.
- 4.2.8. A maintenance plan and annual report shall be submitted, describing methods of maintaining all storm water quality management systems, or other requirements per the County Surveyor.
- 5. Soil Erosion and Sedimentation Control
- 5.1. Erosion and Sediment Control Plan Requirements

A Erosion and Sediment Control Plan shall be required for all developments required to obtain a Storm Water Management Permit from the County Drainage Board. The Erosion and Sediment Control Plan shall include all information described in Section 2, Storm Water Management Permit Application Process of this Ordinance and shall be in compliance with all requirements in 327 IAC 15-5. All erosion control practices shall be in accordance with the latest edition of the Indiana Storm Water Quality Manual and the NRCS Field Office Technical Guide.

- 5.2. Erosion and Sedimentation Control Requirements
 - 5.2.1. All individuals who cause, in whole or in part, any land alteration to occur shall provide soil erosion and sedimentation control so as to adequately prevent soils from being eroded and discharged or deposited into adjacent properties or into a storm water drainage system, a public street or right of way, floodplain, body of water or watercourse.
 - 5.2.2. During any land alteration, which exposes soil to an increased risk of erosion or sediment track-out, the property owner and other individuals causing or participating in the land alteration activity shall do the following:
 - D. Comply with provisions of this Ordinance, and the requirements of all applicable County, State and Federal rules and regulations;
 - E. Prevent damage to any public utilities or services within the limits of grading and within any routes of travel or areas of work of construction equipment;
 - F. Prevent damage to or impairment of any receiving water on or near the location of the land alteration or affected thereby;
 - G. Prevent damage to adjacent or nearby land;
 - H. Apply for all required approvals or permits prior to the commencement of work;
 - I. Proceed with the proposed work only in accordance with approved plans and permits in compliance with this Ordinance;
 - J. Maintain all required soil erosion and sedimentation control measures and devices, including but not limited to, measures required for compliance with the terms of this Ordinance;
 - K. Promptly remove all soil, sediment, debris or other materials applied, dumped, tracked, or otherwise deposited on any lands, public streets, sidewalks, or other public ways or facilities, including catch basins, storm sewers, ditches, drainage swales, or

- water bodies. Removal of all such soil, sediment, debris or other materials within twenty-four (24) hours shall be considered to be in compliance with this requirement, unless such materials present an immediate hazard to public health and safety; and
- L. Developers shall not conduct any land alteration activities at locations adjacent to any of the following: public streets, sidewalks, alleys, or other public or private property without providing adequate support or other measures so as to protect such adjacent properties.
- 5.2.3. All erosion and sediment control measures must be properly installed and functional by the developer before any land alteration activity begins. Control measures may be adjusted during dry weather to accommodate short-term activities, such as activities that require the passage of large vehicles or equipment.
- 5.2.4. Sedimentation basins must have a minimum surface area equal to at least 1% of the area draining to basin, and be constructed in accordance with accepted design specifications including access for assessment and maintenance. Basin discharge rates must also be controlled to prevent erosion in the discharge channel.
- 5.2.5. The applicant shall install erosion and sediment controls at locations directed or per final approval by the County Surveyor. Minimum requirements include silt fences, rock check dams, or other equivalent control measures along slopes. Silt fences are required along channel edges to reduce the potential of sediment introduction into any water channel. Silt fences, rock check dams, etc. must be regularly inspected and maintained.
- 5.2.6. Sufficient silt fence shall be required to intercept all overland flow run-off generated at an individual site, until it can either infiltrate or seep through the silt fence pores.
- 5.2.7. Dewatering control measures shall discharge into an appropriate sized and designed sediment trap or pond.
- 5.2.8. All temporary and permanent erosion and sediment control BMPs shall be maintained in a manner to insure continued performance of their intended function. The owner/developer shall be responsible for insuring that any erosion and sediment control measures damaged during floods or other adverse weather conditions are returned to normal operating condition as soon as possible.
- 5.2.9. Removal of temporary BMPs: All temporary erosion and sediment control BMPs shall be removed within thirty (30) days after final site stabilization is achieved. The removal of temporary erosion and sediment control BMPs may not be required for those projects, such as single-family plats, that will be followed by additional construction under a different permit. In these circumstances, the need for removing or retaining the measures will be evaluated on a site-specific basis by the County Surveyor.
- 5.2.10. Changes in site topography: The maximum surface gradient on any artificially created slope shall be three (3) feet of horizontal run to one (1) of vertical fall (3:1). This gradient may be increased if it can be demonstrated through engineering calculations to be stable.
- 5.2.11. At all times, the contractor shall have sufficient materials, equipment and labor on-site to stabilize and prevent erosion from all denuded areas within 12 hours as site and weather conditions dictate.

- 5.2.12. Water removed from the site by pumping must be treated by temporary sedimentation basins, geotextile filters, grit chambers, sand filters, up-flow chambers, hydro-cyclones, swirl concentrators or other appropriate controls. Such water shall not be discharged in a manner that causes erosion or flooding of the site, receiving channels, adjacent property or a wetland.
- 5.2.13. Cut and fill slopes shall be constructed in a manner that will minimize erosion.
- 5.2.14. Whenever construction vehicle access routes intersect paved roads, provisions must be made to minimize the transport of sediment onto the paved road by use of appropriate BMPs such as a stabilized construction entrance. At a minimum, temporary rock construction entrances shall be required whenever vehicles enter and exit a site. If sediment is transported onto a road surface, the road shall be thoroughly cleaned. Sediment shall be removed from roads by shoveling or sweeping and be transported to a sediment disposal area. Street washing shall be allowed only after sediment is removed in this manner.
- 5.2.15. For soil stockpiles, the toe of the pile must be more than twenty-five (25) feet from all roads, drainage channels or storm water inlets. If such stockpiles will be left for more than fourteen (14) days, they must be stabilized with mulch, vegetation or suitable covers. If left for less than fourteen (14) days, erosion from stockpiles must be controlled with silt fences or rock check dams.
- 5.2.16. If for any reason a soil stockpile of any size is located closer than twenty-five (25) feet from a road, drainage channel or storm sewer inlet, and will be left for more than seven (7) days, it must be stabilized with mulch, vegetation, or suitable covers.
- 5.2.17. All storm drain inlets made operable during construction shall be protected so storm water run-off shall not enter the conveyance system without first being filtered or otherwise treated with silt fence or an equivalent barrier designed to remove sediment.
- 5.2.18. All temporary on-site conveyance channels shall be designed, constructed and stabilized to prevent erosion from the expected flow velocity from a 2-year frequency, 24-hour duration storm for the post-development condition. Stabilization adequate to prevent erosion of outlets, adjacent stream banks, slopes and downstream reaches shall be provided at the outlets of all conveyance systems.
- 5.2.19. The County Surveyor or designated representative has the authority to inspect all construction activities to ensure that owners/developers comply with this Ordinance and all applicable County, State and Federal regulations.
- 6. Storm Water Quality Management for Post-Construction
- 6.1. Applicability and exemptions

In addition to the requirements of the Storm Water Management Permit application, the project site owner must also include post-construction storm water quality measures. These measures are incorporated as a permanent feature into the site plan and are left in place following completion of construction activities to continuously filter storm water runoff from the stabilized site. Any project located within Madison County that includes clearing, grading, excavation, and other land disturbing activities, resulting in the disturbance of one acre or more of total land area, is subject to the requirements of this article. This includes both new development and re-development, and disturbances of less than one acre of land that are part of a larger common plan of development or sale if

the larger common plan will ultimately disturb one or more acres of land, within the MS4 area.

The requirements under this article do not apply to the following activities:

- A. Agricultural land disturbing activities; or
- B. Forest harvesting activities; or
- C. Construction activities associated with a single family residential dwelling disturbing less than five acres, when the dwelling is not part of a larger common plan of development or sale; or
- D. Single-family residential developments consisting of four or less lots; or
- E. A single-family residential strip development where the developer offers for sale or lease without land improvements and the project is not part of a larger common plan of development of sale; or
- F. Individual building lots within a larger permitted project.

The requirements under this article do not apply to the following activities, provided other applicable state permits contain provisions requiring immediate implementation of soil erosion control measures:

- A. Landfills that have been issued a certification of closure under 329 IAC
- B. Coal mining activities permitted under IC 14-34.
- C. Municipal solid waste landfills that are accepting waste pursuant to a permit issued by the Indiana Department of Environmental Management under 329 IAC 10 that contains equivalent storm water requirements, including the expansion of landfill boundaries and construction of new cells either within or outside the original solid waste permit boundary.

It will be the responsibility of the project site owner to complete a Storm Water Management Permit application and ensure that a sufficient construction plan is completed and submitted to Madison County in accordance with Section 2, Storm Water Management Permit Application Process, of this Ordinance. It will be the responsibility of the project site owner to ensure proper construction and installation of all storm water BMPs in compliance with this Ordinance and with the approved Storm Water Management Permit, and to notify Madison County with a sufficient Notice of Termination letter upon completion of the project and stabilization of the site. However, all eventual property owners of storm water quality facilities meeting the applicability requirements must comply with the requirements of this article and this Ordinance.

6.2. Policy on storm water quality management

It is recognized that developed areas, as compared to undeveloped areas, generally have increased imperviousness, decreased infiltration rates, increased runoff rates, and increased concentrations of pollutants such as fertilizers, herbicides, greases, oil, salts and other pollutants. As new development and redevelopment continues in Madison County measures must be taken to intercept and filter pollutants from storm water runoff prior to reaching regional creeks, streams, and rivers in order to preserve fishable and swimmable conditions. Through the use of Best Management Practices (BMP), storm water runoff will be filtered and harmful amounts of sediment, nutrients and contaminants will be removed. The project site owner must submit to Madison County, a plan that would show placement of appropriate BMP(s) from a pre-approved list of BMPs specified in the Indiana Storm Water Quality Manual. The noted BMPs must be designed, constructed, and maintained according to guidelines provided or referenced in the Indiana Storm Water Quality Manual. Practices other than those specified in the pre-approved list may be utilized. However, the burden of proof, as to whether the performance and ease of maintenance of such practices will be according to guidelines provided in the Indiana Storm Water Quality Manual, would be placed with the applicant.

In accordance with 327 IAC 15-13-16 new retail gasoline outlets, new municipal, state, federal, or institutional refueling areas, or outlets and refueling areas that replace their existing tank systems must install appropriate practices to reduce lead, copper, zinc, and polyaromatic hydrocarbons in storm water runoff using the Indiana Storm Water Quality Manual as guidance.

6.3. Calculations and design standards and specifications

The calculation methods as well as the type, sizing, and placement of all storm water quality management measures, or BMPs shall meet the design criteria, standards, and specifications outlined in the Indiana Storm Water Quality Manual. The methods and procedures included in this reference are in keeping with the above stated policy and meet the requirements of 327 IAC 15-13.

6.4. Easement requirements

All storm water quality management systems, including detention or retention basins, filter strips, pocket wetlands, in-line filters, infiltration systems, conveyance systems, structures and appurtenances located outside of the right-of-way shall be incorporated into permanent easements.

6.5. Inspection, maintenance, record keeping, and reporting

After the approval of the Storm Water Management Permit by Madison County and the commencement of construction activities, Madison County has the authority to conduct inspections of the work being done to ensure full compliance with the provisions of this Ordinance, or Indiana Storm Water Quality Manual, and the terms and conditions of the approved permit.

Storm water quality facilities shall be maintained in good condition, in accordance with the Operation and Maintenance procedures submitted as part of the Storm Water Management Permit application. These procedures shall not be subsequently altered, revised or replaced except in accordance with the approved Storm Water Management Permit, or in accordance with approved amendments or revisions in the permit. Following construction completion, inspection and maintenance of storm water quality facilities shall be the responsibility of the property owner.

All public and privately owned storm water quality facilities will be inspected by representatives of the project site owner until the project is complete and a Notice of Termination has been issued. Inspection frequency shall follow specifications included in the operation and maintenance submitted as part of the permit application. Following project completion, Madison County assumes responsibility for having annual inspections of the storm water quality facilities completed. The inspections will follow the operation and maintenance procedures included in the permit application for each specific BMP. The inspection will cover physical conditions, available water quality volume capacity and the operational condition of key facility elements. Noted deficiencies and recommended corrective action will be included in an inspection report. If deficiencies are found during the inspection, the owner of the storm water quality facility will be notified by Madison County and will be required to take all necessary measures to correct such deficiencies. If the owner fails to correct the deficiencies within the allowed time period, as specified in the notification letter, Madison County will undertake the work and collect from the owner using lien rights if necessary.

6.6. Post-Construction Storm Water Plan The post-construction storm water plan must include the following information:

- A. A description of potential pollutant sources from the proposed land use, which may reasonably be expected to add a significant amount of pollutants to storm water discharges.
- B. Location, dimensions, detailed specifications, and construction details of all post-construction storm water quality measures.
- C. A description of measures that will be installed to control pollutants in storm water discharges that will occur after

construction activities have been completed. Such practices include infiltration of run-off, flow reduction by use of open vegetated swales and natural depressions, buffer strip and riparian zone preservation, filter strip creation, minimization of land disturbance and surface imperviousness, maximization of open space, and storm water retention and detention ponds.

- D. A sequence describing when each post-construction storm water quality measure will be installed.
- E. Storm water quality measures that will remove or minimize pollutants from storm water run-off.
- F. Storm water quality measures that will be implemented to prevent or minimize adverse impacts to stream and riparian habitat.
- G. A narrative description of the maintenance guidelines for all post-construction storm water quality measures to facilitate their proper long term function. This Operation and Maintenance manual will be kept on file by Madison County for use during inspections. A copy will also be provided to the landowner for informational purposes.
- H. Watercourse and Drain Protection
- 6.7. Any individual owning property through which a watercourse passes, or such individual's lessee, shall keep and maintain the part of watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse.
- 6.8. The property owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse. The owner or lessee shall not remove healthy vegetation beyond that actually necessary for maintenance, nor remove said vegetation in such a manner as to increase the vulnerability of the watercourse to erosion. The property owner shall be responsible for maintaining and stabilizing that portion of the watercourse that is within their property lines in order to protect against erosion and degradation of the watercourse originating or contributed from the property.
- 6.9. Easements intended for periodic or occasional use to convey the flow of surface water run-off shall be maintained in an unobstructed condition by the owners of the properties they cross. When specified as a restrictive covenant, the County Surveyor shall have the right to determine if any obstructions exist and to repair and maintain, or require such repair and maintenance by the property owner if the owner is deemed responsible for the obstruction, as shall be necessary to maintain proper operation of the drain.
- 6.10. It shall be unlawful for any individual to stop, fill, dam, confine, pave, alter the course of, or otherwise interfere with any natural or constructed drain, or drainage way, without first submitting a drainage plan to the County in accordance with the provisions of this Ordinance.
- 6.11. No filling, blocking, fencing or planting of vegetation, shall take place within a floodway without obtaining all required permits from all agencies with jurisdiction over such activity.
- 6.12. Shrubs, trees or other vegetation shall not be planted over the top of an underground storm sewer or over the top of the easement within which the storm sewer has been installed.
- 7. Prohibited Discharges and Illicit Connection Elimination
- 7.1. Building Storm Water Management
 - 7.1.1. Downspouts and Roof Drains All newly constructed and existing single family residential home downspouts or roof drains shall discharge no

closer to the street than 48 inches from the building setback line. In no case shall any downspout or roof drain from any property be connected to a sanitary sewer. In no case shall a single family residential home downspout or roof drain be connected to a combined sewer unless one of the following conditions exist:

- A. Due to the distance between homes disconnection of downspouts or roof drains from the combined sewer will result in flooding or property damage to an adjacent property.
- B. Due to the lot size of a home discharge from downspouts or roof drains will be discharged into the County right-of-way and could present a public safety concern regarding flooding of a County road or hazards associated with storm water freezing during winter months.
- C. Property owners shall contact the County Surveyor if they believe either of the aforementioned conditions exists on their property. The County Surveyor shall determine if it is appropriate for the downspouts or roof drains to remain connected to the combined sewer system. The owner of any home with the downspouts or roof drains found to be connected to the sanitary or combined sewer without authorization from the County shall be in violation of this Ordinance and subject to the enforcement procedures as specified in this Ordinance.
- 7.1.2. Sump Pumps In no case shall a sump pump be used for more than one function; sump pumps shall be used only for the discharge of storm water or groundwater. Sump pumps used for temporary relief from storm water or ground water accumulation in basements or crawl spaces shall discharge onto a grass surface within the boundaries of the affected property. The sump pump discharge shall be conducted in a manner that does not adversely affect adjacent properties.

7.1.3. Footing Drains

- A. In no case shall a footing drain discharge to a sanitary sewer.
- B. Discharge from permanently installed footing drains may be connected to municipal storm sewers if a Storm Water Management Permit has been obtained from the County Surveyor.
 - 1. Connections from footing drains to the Municipal Storm Sewer System made prior to the adoption date of this Ordinance are not required to obtain a Storm Water Management Permit.
- 7.1.4. Basement Floor Drains Basement floor drains shall be connected to sanitary sewers or septic systems. In no case shall basement floor drains discharge to the Municipal Storm Sewer System.

7.2. Prohibited Discharges

No individual shall discharge or cause to be discharged into the Municipal Storm Sewer System, a privately owned water body, or a Water of the State any materials, including but not limited to pollutants or waters containing any pollutants that may cause or contribute to a violation of applicable water quality standards, other than storm water. This includes any material that may obstruct flow in the system or cause damage to the system or interfere with the proper operation of the system or creates a hazard to the public. Any individual responsible for the discharge of a prohibited substance into the Municipal Storm Sewer System shall be subject to all remedial and punitive enforcement procedures specified in this Ordinance.

- 7.2.1. It is an affirmative defense to any enforcement action for a violation of subsection 9.2, Prohibited Discharges that the discharge was composed entirely of one or more of the following categories of discharges:
 - A. A discharge authorized by, and in full compliance with, an NPDES permit;

- B. A discharge or flow resulting from fire fighting activities by a Fire Department, if the Fire Department properly notifies the County Water Pollution Control Department at the time the Fire Department responds to the incident;
- C. A discharge or flow from water line flushing;
- D. A discharge or flow from lawn watering, or landscape irrigation;
- E. A discharge or flow from a diverted stream flow, natural spring, riparian habitat or wetland;
- F. A discharge or flow from uncontaminated pumped groundwater or rising groundwater;
- G. Uncontaminated discharge or flow from a foundation drain, crawl space pump, or footing drain;
- H. A discharge or flow from a portable water source not containing any harmful substance or material from the cleaning or draining of a storage tank or other container;
- I. A discharge or flow from individual residential car washing;
- J. Dechlorinated swimming pool discharges.
- 7.2.2. No affirmative defense shall be available under subsection 9.2.1 if:
 - A. The discharge or flow in question has been determined by the Water Pollution Control Department to be a source of a pollutant or pollutants to the Waters of the State or to the Municipal Storm Sewer System;
 - B. Notice of such determination has been provided to the discharger; and
 - C. The discharge has continued after the expiration of the time given in the notice to cease the discharge.
- 7.3. Illicit Connection and Prohibited Discharge Elimination Requirements
 - 7.3.1. The construction, use, maintenance or continued existence of illicit connections and/or prohibited discharges to the Municipal Storm Sewer System, privately owned water body or a Water of the State is prohibited.
 - 7.3.2. This prohibition includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
 - 7.3.3. This prohibition also includes prohibited discharges originating from a property, which due to subsurface or groundwater discharge, may not initially be detected within the boundaries of the property responsible for the prohibited discharge.
 - 7.3.4. The current owner of the property, where the illegal connection exist, shall be responsible for all cost associated with eliminating the illegal connection and insuring that all sanitary and storm water connections originating from the property are in full compliance with this Ordinance and all applicable County, State and Federal rules and regulations.
- 7.4. Inspections and Discharge Monitoring
 - 7.4.1. The County Surveyor or their designated representatives have the authority to inspect the interior and exterior of all buildings and structures and adjacent property for the purpose of determining the origin of a prohibited discharge or illicit connection.
 - 7.4.2. The County may also conduct sampling and other related activities, including but not limited to collection of storm water/wastewater samples, dye testing and smoke testing of drains, during the course of the investigation.

- 7.4.3. County personnel shall present valid County identification, which includes the individual's name, job title, and employee identification number prior to entry to any privately owned building.
- 7.4.4. Refusal of entry by a property owner after County personnel present valid identification shall constitute a violation of this Ordinance and subject the property owner to Enforcement as specified in this Ordinance.
- 7.4.5. Upon refusal of entry, the County Surveyor may file an application with a municipal or county court judge to obtain a search and/or seizure warrant. The warrant shall specify what may be searched and/or seized at the property described in the warrant.

7.5. Accidental Discharges

- 7.5.1. Any individual who accidentally discharges into any waterway any substance other than storm water or an exempted discharge as specified in this Ordinance shall immediately notify the County Surveyor's Office. It is also the discharger's responsibility to notify any County, State or Federal agencies if such notification is required. Verbal notification shall be made within two (2) hours of the event. The County may require the discharger submit a written report within five (5) working days of the event. The written report shall specify the following:
 - A. The date, time and estimated volume of the discharge;
 - B. A detailed description of the composition of the discharge;
 - C. A narrative description of the events leading up to the discharge and the believed cause of the discharge;
 - D. All measures taken to clean up the discharge;
 - E. Full contact information including name, telephone number, and business address for the individual submitting the report, the business or property owner, and individuals who were involved with the equipment, process, etc. just prior to the discharge.

8. Enforcement

8.1. Storm Water Quality Notice of Violation

- 8.1.1. Any individual who is found to be in violation of any provision of this Ordinance shall be deemed to have committed a storm water quality violation and may be issued a Notice of Violation (NOV) by the County Surveyor. The NOV shall be served by personal service, or by Certified Mail. The NOV shall contain, at a minimum, the following information:
 - A. The name and address of the individual responsible for the violation;
 - B. The address or a description of the building, structure, or land upon which the violation has occurred;
 - C. A statement specifying the nature of the violation;
 - D. A statement of the corrective or remedial measures necessary to bring the property into compliance with this Ordinance and a date required to complete such measures;
 - E. If a penalty is to be assessed against the individual to whom the NOV is directed, a statement of the penalty shall be included in the NOV:
- 8.1.2. The corrective or remedial measures the County may require, include, but are not limited to, the following:
 - A. Submission of corrected documentation related to a Storm Water Management Permit Application;
 - B. Installation and maintenance of erosion and sediment or pollution control measures:
 - C. Removal of buildings, structures, debris or excessive vegetation within a legally designated drainage easement or within the floodway;

- D. Immediate cessation of prohibited discharges and/or permanent elimination or illicit connections;
- 8.1.3. The NOV may include a civil penalty not to exceed Two Thousand, Five Hundred Dollars (\$2,500) per day per violation. Each day a violation remains uncorrected after the deadline specified in the NOV is a distinct and separate violation of this Ordinance and is subject to the assessment of an additional penalty.
- 8.1.4. The NOV may include a requirement to reimburse the County for any or all cost associated with the inspection and investigation of the violation including but not limited to sampling and analyses cost, equipment cost, overtime cost for County personnel, and contractors or consultants cost.
- 8.1.5. The NOV may include a requirement to reimburse the County for any or all cost associated with the remediation of damages caused by a violation including but not limited to equipment cost, overtime cost for County personnel, and contractors or consultants cost.
- 8.1.6. The NOV may include a requirement to reimburse the County for any or all cost associated with the remediation or abatement of damages to the County Municipal Storm Sewer System, a regulated drain, or a Water of the State caused by the violation including but not limited to equipment cost, overtime cost for County personnel, and contractors or consultants cost
- 8.1.7. Any individual receiving a NOV may appeal the findings or contest the stated requirements. The notice of appeal must be received in writing within seven (7) days from the date of receipt of the NOV by the County Drainage Board. Hearing on the appeal before the County Drainage Board shall take place within fifteen (15) days of receipt of the notice of appeal. The decision made at the conclusion of this hearing shall be final.
- 8.1.8. If an individual who receives an NOV fails to correct the observed violation, pay the assessed fine, or respond to the County within the time allotted in the NOV, the Drainage Board may file a civil lawsuit as prescribed by applicable laws and Ordinances, and seek penalties as prescribes in this section. An individual adjudged to have committed a storm water quality violation in a court of law is liable for all associated court costs and attorney fees.
- 8.2. Storm Water Quality Cease and Desist Orders

If the violation is determined by the County Surveyor to be a threat to public health or safety, the County Surveyor may order the land use or prohibited discharge to cease and desist immediately, regardless of whether a NOV has been issued.

8.3. Remedies Not Exclusive

The remedies stated in this Ordinance are not exclusive of any other remedies available under any applicable section of local, state, or federal ordinance, rule, regulation, or law and it is within the discretionary authority of other government bodies to pursue additional remedies as stated in the aforementioned ordinances, rules, regulations, or laws.

9. Implementation of Ordinance

9.1. Disclaimer of Liability

The degree of protection required by this Ordinance is considered reasonable for regulatory purposes and is based on historical records, engineering and scientific methods of study. Larger storms may occur or storm water run-off depths may be increased by man-made or natural causes. This Ordinance does not imply the land uses permitted will be free from storm water damage. This Ordinance shall not create liability on the part of Madison County or any officer or employees thereof

for any damages that may result from reliance on this Ordinance or on any administrative decision lawfully made there under.

9.2. Corrective Action

Nothing herein contained shall prevent Madison County from taking such other lawful action as may be necessary to prevent or remedy any violation. All costs connected therewith shall accrue to the individual or individuals responsible.

9.3. Exempt Projects

Any subdivision or construction project that has received a final Storm Water Management Permit approved by the County Drainage Board six (6) months prior to implementation of this Ordinance shall be considered a legally non-conforming. As such, the plan may be implemented as approved. If, however, the project is expanded or otherwise altered, these regulations specified in this Ordinance shall apply.

9.4. Severability

The invalidity of any section, sentence, clause, division, part or provision of this chapter shall not affect the validity of any other section, sentence, clause, division, part or provision of this chapter which can be given meaning without such invalid part or parts. All Ordinances are parts of Ordinances and sections of the municipal code of the County in conflict herewith are hereby repealed, subject to the provisions of this Ordinance.

	MADISON COUNTY BOARD OF COMMISSIONERS
	John M. Richwine, President
	Patricia Dillon, Member
	Paul F. Wilson, Member
ATTEST:	

IN THE MATTER OF ORDINANCE NO 2008-BC-O-02, AN AMENDING ORDINANCE 2006-BC-O-12 ESTABLISHING THE MADISON COUNTY DOMESTIC VIOLENCE FATALITY REVIEW TEAM

Commissioners passed Ordinance No. 2008-BC-O-02 An Ordinance Amending Ordinance 2006-BC-O-12, Establishing the Madison County Domestic Violence Fatality Review Team. Motion to approve made by Paul Wilson and seconded by John Richwine. Motion carried unanimously.

ORDINANCE NO. 2008-BC-O-02

An Amending Ordinance 2006-BC-O-12 Establishing the Madison County Domestic Violence Fatality Review Team

Be it by the County Commissioners of Madison County, Indiana, on September 19, 2006 as follows:

Section 1-Purpose: To create a Domestic Violence Review Team for the purpose of reviewing deaths resulting from domestic violence in this County or Region and in the State of Indiana a authorized by IC§ 12-18-8-1 et seq. and to appoint and reappoint members of that local domestic violence fatality review team. Members of the Domestic Violence Fatality Review Team shall be appointed or reappointed for two-year terms.

Section 2-Domestic Violence Fatality Review Team Established: that there is hereby created a Domestic Violence Fatality Review Team in the County (Region) of Madison County.

Section 3-Membership: This Council shall appoint fifteen(15) members to the Domestic Violence Fatality Review Team A described under IC § 12-18-8-10 and IC § 12-18-8-11. The members for the term of November 21, 2006 through December 31, 2008 are as follows:

912-18-8-10

 (a) The local domestic violence fatality review team for the County (Region) of Madison County consists of the following members;

(1) Marcy Fry: A survivor of domestic violence.

(2) Kandi Floyd: A domestic violence direct service provider agency.

Lisa Connors: Alternatives, Inc. Representative

(3) Chief Jack Miller A representative of law enforcement from the area

served by the local domestic violence fatality

review team.

(4) Tom Broderick Jr.: A prosecuting attorney or the prosecuting

attorney's designee from the area served by the local domestic violence fatality review team.

(5) Ned Dunnichay: An expert in the field of forensic pathology or a

coroner or a deputy coroner.

(6) Holly Renz: A medical practitioner with expertise in domestic

violence.

(7) Kyle Noone: A judge who hears civil or criminal cases.

(8) Chris Wagner: An employee of a child protective services agency.

§12-18-8-10

In accordance with the ordinance adopted under section 10 [IC 12-18-8-10] of this chapter, a local domestic violence fatality review team may have the following additional members:

(1) Benny Santiago: A clergy member.

(2) Shawn Swindell: A representative of county government

(agency: Madison County Commissioners).

(3) Don Albaugh: BIP Facilitator (agency: Center for Mental Health)

(4) ______: A representative from a local bar association.

(5) _____: A defense attorney.

(6) _____: A probation officer.

(7) Steve Bond: A representative from the business community.

(8) _____: An animal control officer.

(9) Nicale Rector: An attorney who represents victims of domestic

violence.

(10)Gay Doss: Sheriff's Victim Advocate.

(11)Ron Richardson: Sheriff of Madison County

Section 4-Scope: The team shall review only those deaths in which the person who commits the act of domestic violence resulting in death:

- (1) Is charged with a criminal offense that results in final judgment; or
- (2) Is deceased.

Section 5-Duties:

- (a) A local domestic violence fatality review team shall do the following:
 - Assist a local agency in identifying and reviewing a homicide or suicide that results from domestic violence.
 - (2) Develop recommendations for coordinated community prevention and intervention strategies to prevent future homicides or resulting from domestic violence.
 - (3) Collect data described in section 14 [IC 12-18-8-14] of this chapter related to a death resulting from domestic violence.
- (b) A local domestic violence fatality review team may develop a protocol to assist a person who performs an autopsy in:
 - (1) Identifying a victim of domestic violence; and
 - (2) Preparing a written report identifying a person as the victim of domestic violence and describing the cause of death.
- (c) A local domestic violence fatality review team shall be operated in conjunction with a :
 - (1) Local domestic violence shelter;
 - (2) Domestic violence program; or
 - (3) Domestic violence coordinated community response team.

The team will perform its duties in accordance with IC 12-18-8-1 et.seq. and/or any amendments or replacement for IC § 12-18-8-1 et seq.i

Section 6. Chairperson

- (a) Any member of a local domestic violence fatality review team may serve as a chairperson. The chairperson shall be elected annually by the members of the local domestic violence fatality review team at the first meeting of the local domestic violence fatality review team.
- (b) The local domestic violence fatality review team shall meet at the call of the chairperson.
- (c) The local domestic violence fatality review team chairperson shall determine the agenda for each meeting.

PASSED AND ADOPTED BY THE COMMISSIONERS OF MADISON COUNTY (COUNTIES), INDIANA, THIS 5th DAY OF FEBRUARY, 2008.

ATTEST-

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Sparly Stoops-Wright

Madison County Board of Commissioners

John M. Richwine, President

Patricia Dellan
Patricia Dillon, Member

Paul F. Wilson, Member

IN THE MATTER RESOLUTION NO. 2008-BC-R-01, A RESOLUTION ADOPTING THE MADISON COUNTY MULTI-HAZARD MITIGATION PLAN

Commissioners approved the following Resolution No. 2008-BC-R-01, A Resolution adopting the Madison County Multi-Hazard Mitigation Plan upon motions made by Paul Wilson and seconded by John Richwine. Motion carried unanimously.

Madison County Board of Commissioners Resolution #2008-BC-R-01

A RESOLUTION ADOPTING THE MADISON COUNTY MULTI-HAZARD MITIGATION PLAN

Whereas the County of Madison, with the assistance from Christopher B. Burke Engineering. LTD, has gathered information and prepared the Madison County Multi-Hazard Mitigation Plan; and

Whereas, the Madison County Multi-Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

Whereas, the County of Madison is a unit of local government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

Whereas, the County of Madison has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW, THEREFORE, BE IT RESOLVED, by the Madison County Board of Commissioners, Madison County, Indiana, adopts the Madison County Multi-Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

PASSED AND ADOPTED BY THE BOARD OF MADISON COUNTY COMMISSIONERS, THIS PAGE DAY OF FEBRUARY, 2008.

MADISON COUNTY BOARD OF COMMISSIONERS

BY:

OHN M. RICHWINE PRESIDENT

PATRICIA DILLON, MEMBER

PAUL F. WILSON, MEMBER

IN THE MATTER OF REQUEST TO MODIFY ORDINANCE NO. 2002-BC-O-05

Local Business Owner, Greg Stacy, came before the Board with a formal request to modify Ordinance No. 2002-BC-O-05, to add a time frame of 2yrs limit to a felony for a tattoo artist and add the words "violent felony" of who would not ever be able to be a tattoo artist in Madison County. Representatives from the Madison County Health Department spoke to the Commissioners concerning the amendments to said Ordinance and wanting a way to check the backgrounds if the felony would stay in the ordinance. Motion was made by Paul Wilson to have the County attorney with imput from the Health Department to prepare an amendment to the Ordinance and to advertise for a public hearing at the March 18, 2008 Commissioners meeting. Motion was seconded by Patricia Dillon. Motion carried unanimously.

IN THE MATTER OF EMPLOYMENT AGREEMENT WITH WILLIAM WARMKE

Motion was made by Paul Wilson and seconded by Patricia Dillon to extend the Employment Agreement with William Warmke, Chemical People Task Force, until the end of 2008. Motion carried unanimously.

IN THE MATTER OF BOARD APPOINTMENT

Commissioners approved the PTABOA Board appointment of Lori Farris. Motion to approve made by Paul Wilson and seconded by John Richwine. Motion carried unanimously.

IN THE MATTER OF BOARD APPOINTMENTS

Commissioners approved the Madison County Community Correction Advisory Board appointments of Connie Martin and Judge Dennis Carroll. Motion to approve made by Patricia Dillon and seconded by John Richwine. Motion carried unanimously.

IN THE MATTER OF BOND RENEWAL

Commissioners approved the Bond Renewal for Office Manager, Linda Smith, in the amount of \$8,500. Motion to approve made by John Richwine and seconded by Patricia Dillon. Motion carried unanimously.

IN THE MATTER OF VOTING LOCATION CHANGES

Shawn Swindell, Risk Manager, came before the Board with an update on the change of voting location for precinct Green 3. The Grandview Church of the Brethren agreed to allow their facility to be used for voting. Motion to approve new voting location made by Paul Wilson and seconded by John Richwine. Motion carried unanimously.

IN THE MATTER OF APPROVAL OF DRIVEWAY PERMITS

Commissioners approved the following Driveway Permits upon motions made by Patricia Dillon and seconded by John Richwine. Motion carried unanimously.

D07-108	Riffey Builders Inc	150N, ¼ mi W of 400 E, S sd	Union
D08-1	Zachary Properties, Inc	Jefferson Place Lot #65	Fall Cr

IN THE MATTER OF APPROVAL OF UTILITY PERMITS

Commissioners approved the following Utility Permits upon motions made by Patricia Dillon and seconded by John Richwine. Motion carried unanimously.

U08-5	Verizon	9360 S 225 W	Fall Cr
U08-6	POET Design	1300N approx 3900lf E of SR 9,	
	_	N of Alexandria	Mon
U08-7	City of Alex	1100 N approx 1.75 mi W of SR 9	
	2	W of Alexandria	Mon

IN THE MATTER OF MERIT AWARD TO MADISON COUNTY
County Engineer, Chuck Leser, presented a plaque to the Commissioners for a Merit
Award for Madison County Bridge 50. The award was from the ACEC. There were 50 merit awards given out throughout the state.

The next Commissioners meeting will be held February	uary 19, 2008 at 10:00am.
There being no further business the meeting was ad Patricia Dillon and seconded by Paul Wilson.	journed upon motions made by
	BOARD OF COMMISSIONERS

